

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

Case No. 2:17-cr-00228-KJD-NJK

Plaintiff,

**ORDER**

v.

KIMBERLY JACQUEL REBETTER,

Defendant.

Presently before the Court is Defendant's Motion for Leave to File Sentencing Memorandum Under Seal. (#190). Defendant argues that her sentencing memorandum should be sealed because it contains detailed information about her mental health history, including a report from Mariah Schwan, Psy.D. *Id.* "While the decision to grant or deny a motion to seal is within the trial court's discretion, the trial court must articulate its reasoning in deciding a motion to seal." *Pratt v. Cox*, No. 3:11-CV-00604-RCJ, 2012 WL 6691687, at \*1 (D. Nev. Dec. 21, 2012). "The court recognizes that the need to protect medical privacy has qualified as a 'compelling reason,' for sealing records . . . ." *Id.* Here, Defendant's sentencing memorandum contains health information relating to her mental and physical state, as well as an examination report from Mariah Schwan, Psy.D. (#191, at 2-3). Balancing the need for the public's access to information about Defendant's medical information against the need to maintain the confidentiality of Defendant's medical information, weighs in favor of sealing Defendant's sentencing memorandum.

Accordingly, **IT IS HEREBY ORDERED** that Defendant's Motion for Leave to File Sentencing Memorandum Under Seal (#190) is **GRANTED**.

Dated this 7<sup>th</sup> day of September 2023.

  
\_\_\_\_\_  
Kent J. Dawson  
United States District Judge